

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:21-CV-00154-FDW-DSC**

**XUEJUN ZHANG,**

**Plaintiff,**

**v.**

**DRAGON CAPITAL GROUP LLC  
ET.AL.,**

**Defendants.**

**ORDER**

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**THIS MATTER** is before the Court on “Plaintiff’s Motion to Compel Jurisdictional Discovery Responses from [Defendant] Stephen L. Kirkland” (document # 38). Defendant has not responded to the Motion and the time for filing a response has expired. Plaintiff represents that Defendant has not provided complete responses to the Jurisdictional Discovery Requests. For those and the other reasons set forth therein, the Motion will be granted.

Entry of judgment, waiver of defenses, and the imposition of monetary sanctions are remedies available under Rule 37 for a party’s failure to obey rules governing discovery and orders of the District Court. See Fed. R. Civ. P. 37(b)(2)(C); National Hockey League v. Metro. Hockey Club, 427 U.S. 639, 643 (1976); Mutual Fed. Sav. & Loan v. Richards & Assocs., 872 F.2d 88, 92 (4th Cir. 1989); Wilson v. Volkswagen of America, Inc., 561 F.2d 494, 504-04 (4th Cir. 1977).

Accordingly, the Court warns Defendant Kirkland that failure to provide full and complete responses to these discovery requests, to respond to any other of Plaintiff’s reasonable discovery requests, or to otherwise comply fully with any of the Court’s orders, the Local Rules, or the Rules of Civil Procedure may result in the imposition of sanctions. **Sanctions may include Defendant**

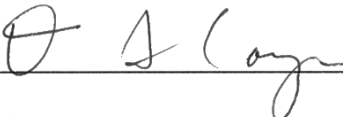
being ordered to pay Plaintiff's costs including reasonable attorney's fees in their entirety and may also include entry of judgment.

**IT IS HEREBY ORDERED** that:

1. "Plaintiff's Motion to Compel Jurisdictional Discovery Responses from [Defendant] Stephen L. Kirkland" (document # 38) is **GRANTED**. Within fifteen days from the date of this Order, Defendant Kirkland shall serve complete supplemental responses to Plaintiff's Jurisdictional Discovery Requests. If Defendant contends that he has fully responded to a particular discovery request, he shall so state in a verified discovery response.
2. The parties shall bear their own costs at this time.
3. The Clerk is directed to send copies of this Order to counsel for the parties and to the Honorable Frank D. Whitney.

**SO ORDERED.**

Signed: August 30, 2021

  
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David S. Cayer  
United States Magistrate Judge

